

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA

JOHN A. SMITH, 54878060,)	
Petitioner,)	
)	
v.)	2:17-cv-1607
)	
WARDEN, USP CANAAN,)	
Respondent.)	

MEMORANDUM and ORDER

John A. Smith an inmate at the United States Penitentiary Canaan has presented a petition pursuant to 28 U.S.C. § 2241 seeking to challenge the manner in which a sentence imposed by the United States District Court for the Northern District of Ohio is being executed. Specifically, he alleges that he has completed a rehabilitation program at the penitentiary which should result in the reduction of his sentence and permit him to participate in a half-way house program.¹

The determination of the manner in which petitioner's federal sentence is being executed is properly addressed to his custodian, the Warden of the Penitentiary which is located in Waymart, Pennsylvania which is located in Wayne County in the Middle District of Pennsylvania.

It is provided in 28 U.S.C. § 1404(a) that:

For the convenience of parties and witnesses, in the interest of justice, a district court may transfer any civil action to any other district or division where it might have been brought ...

In the instant case, it is apparent that all relevant parties, witnesses and records are located in the Middle District of Pennsylvania, and for this reason, the interests of justice warrant a transfer of this action to that Court.

An appropriate Order will be entered.

¹ In civil action 2:17-cv-1476 Smith contends that the denial of participation in the half-way house program is the result of charges pending in the municipal court of Youngstown, Ohio. We have recommended that that case be transferred to the United States District Court for the Northern District of Ohio where Youngstown is located for further consideration as a §2254 petition.

ORDER

AND NOW, this 14th day of December, 2017, IT IS ORDERED that on or before December 28, 2017 petitioner show cause, if any, why the above captioned action should not be transferred forthwith to the United States District Court for the Middle District of Pennsylvania.

s/ Robert C. Mitchell
United States Magistrate Judge